IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF NORTH CAROLINA BRYSON CITY DIVISION

CRIMINAL NO. 2:06CR30

UNITED STATES OF AMERICA))
Vs.)) <u>ORDEF</u>)
DANIAL A. FLOWERS)))

THIS MATTER is before the Court on the notice filed by the State of North Carolina requesting permission to file a brief regarding Defendant's facial challenge of N.C. Gen. Stat. § 14-197.

Pursuant to 28 U.S.C. § 2403(b), the Court hereby notifies the State of North Carolina that the constitutionality of N.C. Gen. Stat. § 14-197 has been challenged in the present case.

IT IS, THEREFORE, ORDERED that the State of North Carolina has to and including September 28, 2007, to file brief addressing this issue in the event it wishes to do so.

Signed: September 7, 2007

Lacy H. Thornburg United States District Judge